IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

Crl.Rev.Pet.No. 1151 of 2006(D)

CRA.398/2004 of ADDL. SESSIONS COURT (ADHOC-III), KASARAGODE
CC.838/2003 of JUDL. MAGISTRATE OF FIRST CLASS, KASARAGOD

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REVN. PETITIONER/APPELLANT/ACCUSED:

K. MURALIDHARAN NAIR, AGED 45 YEARS,
S/O. M.CHANDU NAIR, RESIDING AT MALANKAD HOUSE,
BEDADKA VILLAGE, KASARGOD TALUK,P.O.KUNDAMKUZHI.

BY ADV. SRI.SURESH KUMAR KODOTH

RESPONDENTS/ RESPONDENTS/COMPLAINANT/STATE:

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1. K. DAMODARAn NAIR, S/O. A.CHANDU NAIR,
ARATTUKADAVU, BODAKA VILLAGE.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 30/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU,J

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C.R.R.P.No.1151 OF 2006

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Dated this the 30th day of March, 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, to undergo simple imprisonment for six months and to pay a compensation of Rs.2,30,000/- vide Section 357(3) Cr.P.C and in default to undergo simple imprisonment for three months.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to pay the amount of compensation. In the circumstances, sentence is modified to imprisonment till the rising of the court . The rest of the sentence is confirmed. The revision petitioner is granted three months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before the Judicial First Class Magistrate Court, Kasaragod on 02.07.2007 to receive sentence. NBW pending if any shall be kept in abeyance till then.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,JUDGE

dvs